

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Global Brokerage, Inc. f/k/a FXCM Inc.
Securities Litigation

Master File No. 1:17-cv-00916-RA-BCM

CLASS ACTION

This Document Relates To: All Actions

NOTICE OF PLAINTIFFS' MOTIONS *IN LIMINE*

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and the Declaration of Joshua Baker and its accompanying exhibits ("Baker Decl."), in accordance with the Federal Rules of Evidence and the Court's inherent authority to manage trial, Lead Plaintiff 683 Capital Partners, LP and Class Representatives Shipco Transport Inc. ("Shipco") and E-Global Trade and Finance Group, Inc. (collectively, "Plaintiffs") hereby move *in limine* for the Court to preclude Defendants Global Brokerage, Inc. f/k/a FXCM, Inc. ("FXCM"), Dror Niv, and William Ahdout (collectively, "Defendants"), and all witnesses tendered by Defendants, from directly or indirectly offering evidence concerning, arguing, presenting, referring, making any statement about, or asking witnesses testifying live any questions about the matters discussed below in the presence of prospective jurors, the jury panel, or the ultimate jury in this case.

Plaintiffs respectfully make the following motions *in limine*:

1. For a ruling that Defendants are precluded from introducing reports, opinions, or testimony from their expert witness, Simon Wilson-Taylor;
2. For a ruling that Defendants are precluded from introducing evidence or making arguments to the jury disputing the existence of an efficient market for FXCM common stock, or attempting to rebut the presumption of reliance as to Shipco or E-Global;

3. For a ruling that Defendants are precluded from introducing evidence or making arguments to the jury about the fact that Frank Cozzarelli, Shipco's corporate representative, was disbarred from the practice of law in the State of New Jersey in 2016 due to conduct preceding his tenure with Shipco;
4. For a ruling that Defendants are precluded from introducing evidence or making arguments to the jury about the "SNB flash crash" event; and
5. For a ruling that Defendants are precluded from introducing evidence or making arguments to the jury that falsely present the Court's class certification ruling as a finding that the market for FXCM Notes was "inefficient."

Dated: December 14, 2022

Respectfully submitted,

THE ROSEN LAW FIRM P.A.

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Additional Counsel

CERTIFICATE OF SERVICE

I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On December 14, 2022, I served true and correct copies of the foregoing NOTICE OF PLAINTIFFS' MOTIONS *IN LIMINE*, by posting the document electronically to the ECF website of the United States District Court for the Southern District of New York, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 14, 2022, at Jenkintown, Pennsylvania.

/s/Joshua Baker